



VPI00-115 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Keisuke Kuida, et al.  
Serial No.: 09/888,182  
Filing Date: June 22, 2001  
For: ERK-5 DEFICIENT ANIMALS AND  
METHODS OF INHIBITING  
ANGIOGENESIS THROUGH THE  
INHIBITION OF ERK-5

Cambridge, Massachusetts  
April 11, 2002

Hon. Assistant Commissioner  
For Patents  
Washington, D.C. 20231

PETITION UNDER 37 CFR 1.53(b)

This Petition is in response to the Notice of Incomplete Nonprovisional Application dated December 11, 2001, ("the Notice"). The Notice indicates that the filing date has been withheld on the above-identified application due to the application being filed without drawings as required under 35 U.S.C. 113 (first sentence).

The above-identified application is entitled to the filing date of June 22, 2001 in light of documents submitted on October 17, 2001. These documents are:

(1) Petition under 37 CFR 1.53 (b) in response to August 23, 2001 Notice of Incomplete Nonprovisional Application - Filing Date Not Granted (copy enclosed, see Exhibit 1);

(2) Preliminary Amendment and amended specification wherein Applicants deleted all reference to the omitted figures (copies enclosed, see Exhibit 2);

Applicants respectfully request that the filing date of June 22, 2001 be granted for the above-identified application.

Applicants authorize the Commissioner to charge any petition fee due to Deposit Account No 50-0725. Because the application is entitled to the original filing date of June 22, 2001, applicants request, under 37 CFR 1.26(a), a refund of any petition fee charges to be credited to Deposit Account No. 50-0725.

Respectfully submitted,



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